

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

(1) BILLY HAMILTON, an individual,

Plaintiff,

v.

(1) NORTHFIELD INSURANCE COMPANY,
a foreign insurance company,

Defendants.

Case No. _____

Removed from Okmulgee County
Case No. CJ-16-179

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1441 & 1446(a) and LCvR 81.2, Defendants, hereby respectfully submit this Notice of Removal of the above styled action from the District Court of Okmulgee County, Oklahoma to this Court, and in support thereof, would respectfully show the Court as follows:

1. On November 2, 2016, Plaintiff, Billy Hamilton, filed his original Petition in the District Court of Okmulgee County, Oklahoma against the Defendant, Northfield Insurance Company (Northfield).

2. Plaintiff is an individual who is a citizen and resident of the State of Oklahoma. Defendant Northfield is an Iowa corporation doing business in the State of Oklahoma. Northfield's principal place of business is in the state of Connecticut.

3. Defendant Northfield was served with the Summons and Petition through its designated agent for service of process in the State of Oklahoma on November 11, 2016.

4. Plaintiff's Petition demanded judgment for an amount in excess of the amount required for diversity jurisdiction pursuant to Section 1332 of Title 28 of the United States Code.

5. Defendants hereby serve Notice of Removal of this action pursuant to 28 U.S.C. § 1446(b). This Court has original jurisdiction over the subject matter of this action pursuant to 28 U.S.C. § 1332 because Plaintiff and Defendant are citizens of different states and the amount in controversy exceeds \$75,000.00.

6. Venue is proper because Okmulgee County is located within the Northern District of Oklahoma. 28 U.S.C. § 1441(a).

9. A copy of the docket sheet, all process, pleadings, papers, and orders served in the State Court action are attached to this Notice of Removal as *Exhibits 1*, and *2* as required by 28 U.S.C. § 1446(a) and LCvR 81.2.

10. Defendants have filed a copy of this Notice of Removal with the District Court for Okmulgee County, as required by 28 U.S.C. § 1446(d) and LCvR 81.2. A copy of the Notice to be filed in the Oklahoma State Court is attached hereto as *Exhibit 3*.

WHEREFORE, Defendant hereby removes the above captioned action now pending in the District Court of Okmulgee County, Oklahoma to this Court.

DATED this 21st day of November, 2016.

Respectfully submitted,

**TAYLOR, FOSTER, MALLETT, DOWNS, RAMSEY
& RUSSELL, A Professional Corporation**

/s/ Darrell W. Downs

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***Attorneys for Defendant, Northfield Insurance
Company***

CERTIFICATE OF SERVICE

☒ I hereby certify that on the 21st day of November, 2016, I electronically transmitted the attached document to the Clerk of the Court using the ECF System for filing. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to the following ECF registrants:

Kris Ted Ledford, OBA #17552

Ledford Law Firm

Heritage Professional Plaza

425 East 22nd Street, Suite 101

Owasso, OK 74055

Attorney for Plaintiff

/s/ Darrell W. Downs